

BILL NO. S-71-12- 05

SPECIAL ORDINANCE NO. S- 773-71

AN ORDINANCE approving Amendments to Contract
with INDIANA SUBURBAN SEWERS, INC.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. That the following amendments to the existing
contract between INDIANA SUBURBAN SEWERS, INC. and the CITY OF
FORT WAYNE, to-wit:

(1.) (a) Deletion of area from "Contract Area" as
outlined in Orange on attached map.

(b) The seven-year option to purchase remain,
with effective date of January 1, 1976 running to
January 1, 1983.

(c) Rate structure adjusted to reflect current
City rates effective May, 1969.

(d) Escrow account provision eliminated.

(e) City agrees to receive sewage from Meadow-
brook area, providing Indiana Suburban Sewers, Inc.
is found to have authority to handle said sewage and
will construct and pay for meter at point of connect-
ion, paying rates in (c) above.

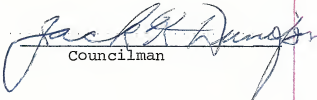
(f) Indiana Suburban Sewers, Inc. agrees to
complete "Phase II" of construction (from U.S. High-
way 30 South to Penn Central Railroad) by September
1, 1972, and failure to meet this schedule shall
constitute a forfeiture of all rights and privileges
under this contract, and shall authorize the City to
construct "Phase II" and serve "Phase II" areas and
all other areas within the contract area.

(g) Future rate increases shall be effective at
the time of passage of requisite ordinances.

- (2) Indiana Suburban Sewers, Inc. obtain a release of CTA from P.S.C.I. for all areas included within the Orange area on the attached map.
- (3) Indiana Suburban Sewers, Inc. supply to City copies of drawings and easements for all existing sewers.
- (4) Indiana Suburban Sewers, Inc. submit current list of all connection charges paid and unpaid at the time this proposal is accepted. No additional charges shall be collected by Indiana Suburban Sewers, Inc. and all charges paid by parties within the orange area after acceptance of this proposal, shall be the property of the City.
- (5) Upon completion of above Items 1 - 4, City will pay Indiana Suburban Sewers \$1,037,000 CASH, less money due City for delinquent sewage treatment services, estimated at \$75,000.00.,

are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.


Councilman

APPROVED AS TO FORM
AND LEGALITY,

CITY ATTORNEY

Read the first time in full and on motion by Dunifon seconded by Shake and duly adopted, read the second time by title and refer to the (Committee on) City Utilities (and to the City, P Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on the _____ day of _____ 19____, at _____ o'clock P.M., E.S.T.)

Date: 12-14-71

Freud H. Bonachon
City Clerk

Read the third time in full and on motion by Dunifon seconded by Shake and duly adopted, placed on its passage. Passed (~~LOSE~~) by the following vote:

AYES	<u>8</u>	NAYS	<u>0</u>	ABSTAINED	____	ABSENT	<u>1</u>	to-wit:
Adams	<u>✓</u>							
Dunifon	<u>✓</u>							
Fay								
Geake	<u>✓</u>							
Nuckols	<u>✓</u>						<u>✓</u>	
<u>Russell</u>	<u>✓</u>							
<u>Schmidt</u>	<u>✓</u>							
Steigerwald	<u>✓</u>							
Tipton	<u>✓</u>							

Date 12-28-71

Freud H. Bonachon
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (~~Resolution~~) No. S-773-71 on the 28th day of December, 19 71.

ATTEST: (SEAL)

Freud H. Bonachon
City Clerk

Will Sturgeon
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 19 71 at the hour of 8:30 o'clock P.M., E.S.T.

Freud H. Bonachon
City Clerk

Approved and signed by me this 29th day of December, 19 71 at the hour of 9:08 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. S-71-12-05

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance
approving Amendments to Contract with INDIANA SUBURBAN SEWERS, INC.

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance DO PASS.

JACK K. DUNIFON, Chairman

WILLIAM K. GEAKE, Vice-Chairman

THOMAS G. ADAMS

JOHN NUCKOLS

HERBERT G. TIPTON.

Jack K. Dunifon
William K. Geake
Thomas G. Adams
Herbert G. Tipton

concur in

12-28-71 F.B.B.